

Remarks

Claims 21-31 are rejected under 35 USC 103(a) as unpatentable over Boulter.

This rejection is respectfully traversed.

The rejection asserts that Boulter discloses the essential components as claimed. The rejection recognizes that Boulter does not disclose a distance between the delivery chute and the shelf. The rejection states that Boulter teaches in window 102 a distance between water nozzles and a shelf sufficient to receive a 5 gallon water bottle.

The assertion is then made that this bottle is 2 feet high.

The rejection also states that a folding shelf is provided to support a water container.

The reference makes no statement of the height of the water containers and the examiner provides nothing to support the assertion that there must be a space of 2' between the shelf and the water dispenser.

The reference discloses two dispensing stations, a water dispensing station and an ice dispensing station 2003. As stated in column 6, the ice dispensing station includes a stationary pedestal 2010 adapted to support a container. The station includes a bag dispenser and is adapted to receive a bag to be filled with ice. Nowhere is reference made to a shelf arrangement adapted to receive and support an ice chest. Nowhere is a statement made to indicate a greater than normal distance between the ice dispenser and the shelf is provided to accommodate a larger than normal container i.e. an ice chest. Nowhere is a pivoted shelf for the ice station disclosed.

The Boulter reference, lacking such disclosures, fails to provide motivation to

construct an ice making machine having this feature.

The Boulter patent is directed to a kiosk or multisided building in which selected sides are provided with vent windows which house water and ice dispensers. Within the ice dispensing windows 2003, is mounted ice dispensing signage 2014. Ice cubes fall from chute 2004 into a container. The ice maker 2019, ice bin 2028 are housed under roof cap 2002 of kiosk 2001. Ice is delivered from the ice bin through chute 2004 into a container. Chute 2004 is mounted in a recess of the window below and aligned with ice bin 2029 as a continuous conveyance. In use, a bag is withdrawn from dispenser 2008, attached to chute 2004. Monies are put into actuator and ice is delivered into the bag. It is noted that the width of ice window 2003 is slightly more than the width of the bag, i.e. not nearly enough to receive an ice chest. It is also noted that all ice making units, i.e. the chute, the bin and the ice maker are secured together.

Specific claim language not taught by Boulter is hereinafter referred to.

Claim 21 calls for a compartment having a compartment wall with an opening therein through which passes a dispenser chute. The claim also calls for a dispensing panel attached to said compartment wall. The compartment wall includes a display front and a recess. The claim calls for an ice delivery chute passing through the dispensing panel and adapted to receive ice from the dispenser chute.

The reference Boulter discloses none of this structure. Particularly it does not disclose the compartment, compartment wall mounting a dispensing panel and dispensing chute passing through the wall opening to deliver ice into the delivery chute. The reference further does not disclose the delivery chute passing through the dispensing panel.

Claims 22 and 23 depend from claim 21 and are believed allowable for the stated reasons.

Claim 32 calls for an ice dispensing machine having a compartment with a side and a dispensing panel. The claim calls for the compartment to contain an ice making machine and an ice dispenser. The claim calls for the dispensing panel to be attached to the side of the compartment and to include a delivery chute and a support tray. The claim calls for the delivery chute to receive ice through a dispenser chute.

The reference does not disclose providing an approximate 2' clearance between the delivery chute and the support tray.

The Boulter reference does not teach a compartment housing an ice dispenser and having a side to which a dispenser panel is attached. The reference does not disclose a dispenser chute passing through the compartment side to connect with a delivery chute carried by the dispenser panel. The reference fails to disclose a support tray positioned at least two feet beneath the delivery chute.

For these reasons, it is believed that claim 32 defines over the references.

Claims 27, 28, 29 and 30 depend from claim 32 and are also thought to be allowable.

Claim 31, to a method of producing and dispensing ice, calls for providing a compartment containing a dispensing machine with a dispensing chute. The claim calls for providing a dispensing panel which includes a delivery chute and a shelf beneath the chute. The claim then calls for connecting the dispensing panel with the compartment so that the dispensing chute is received in the delivery chute.

The Boulter patent discloses no such method, no providing a dispensing chute and no connecting the dispensing panel with the container with the dispensing chute received in the delivery chute.

The claim further calls for providing an ice chest which is approximately 2' high and placing the ice chest on the tray beneath the delivery chute.

The reference fails to teach this method step.

For these reasons, it is believed that claim 31 is allowable.

Favorable consideration of the newly drafted or amended claims is respectfully urged.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "H. Jaudon", written in a cursive style.

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